

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

Center for Biological Diversity; Save Our Springs  
Alliance, Inc. )  
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*Plaintiff(s)* )  
 v. )  
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 Texas Department of Transportation; James Bass )  
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*Defendant(s)* )

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* TEXAS DEPARTMENT OF TRANSPORTATION  
Executive Director, James Bass  
125 East Eleventh Street  
Austin, Texas 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Jennifer Loda; jloda@biologicaldiversity.org  
Center for Biological Diversity; 1212 Broadway, Suite 800; Oakland, CA 94612

Kelly Davis; kelly@sosalliance.org  
Save Our Springs Alliance, 905 W. Oltorf St., Ste. A; Austin, TX 78704

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**JEANNETTE J. CLACK**  
*CLERK OF COURT*

Date: July 19, 2016



Amanda Deichert  
Signature of Clerk or Deputy Clerk

Civil Action No. 1:16-cv-876

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (*name of individual and title, if any*) \_\_\_\_\_  
 was received by me on (*date*) \_\_\_\_\_.

I personally served the summons on the individual at (*place*) \_\_\_\_\_  
 \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with (*name*) \_\_\_\_\_,  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (*date*) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on (*name of individual*) \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of (*name of organization*) \_\_\_\_\_  
 \_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other (*specify*): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature***38863HFA8  
E7DH573FF35: 76***Printed name and title**Server's address*

Additional information regarding attempted service, etc:

## AFFIDAVIT OF SERVICE

### UNITED STATES DISTRICT COURT Western District of Texas

Case Number: 1:16-CV-876-LY

Plaintiff:

**Center for Biological Diversity; Save Our Springs Alliance, Inc.**

vs.

Defendant:

**Texas Department of Transportation; James Bass**

For:

Save Our Springs  
905 W. Oltorf  
Suite A  
Austin, TX 78704

Received by Austin Process LLC on the 21st day of July, 2016 at 11:12 am to be served on **Texas Department of Transportation by serving its Executive Director, James Bass, 125 East 11th Street, Austin, TX 78701**.

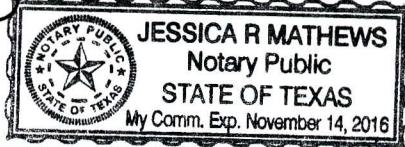
I, Dane R. Cuppett, being duly sworn, depose and say that on the **22nd day of July, 2016 at 1:34 pm**, I:

served a **GOVERNMENT AGENCY** by delivering a true copy of the **Summons in a Civil Action and Complaint for Declaratory and Injunctive Relief** with the date and hour of service endorsed thereon by me, to: **Alicia Ramon-Kane, Texas Department of Transportation as General Counsel for Texas Department of Transportation by serving its Executive Director, James Bass**, and informed said person of the contents therein, in compliance with State Statutes.

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 22nd day of July, 2016 by the affiant who is personally known to me.

NOTARY PUBLIC

  
**Dane R. Cuppett**  
SCH-7114, Exp. 9/30/16

**Austin Process LLC**  
809 Nueces  
Austin, TX 78701  
(512) 480-8071

Our Job Serial Number: MST-2016005242

UNITED STATES DISTRICT COURT  
for the  
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Center for Biological Diversity; Save Our Springs  
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 Plaintiff(s) )  
 v. ) Civil Action No. 1:16-cv-876 -LY  
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 Texas Department of Transportation; James Bass )  
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 Defendant(s) )

## SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*) JAMES BASS  
Texas Department of Transportation  
125 East Eleventh Street  
Austin, Texas 78701

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If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**JEANNETTE J. CLACK**  
*CLERK OF COURT*

Date: July 19, 2016



Amanda Deichert  
Signature of Clerk or Deputy Clerk

Civil Action No. 1:16-cv-876

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Other (*specify*): \_\_\_\_\_

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I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature***AFFIDAVIT OF  
SERVICE ATTACHED***Printed name and title**Server's address*

Additional information regarding attempted service, etc:

## AFFIDAVIT OF SERVICE

### UNITED STATES DISTRICT COURT Western District of Texas

Case Number: 1:16-CV-876-LY

Plaintiff:

**Center for Biological Diversity; Save Our Springs Alliance, Inc.**

vs.

Defendant:

**Texas Department of Transportation; James Bass**

For:

Save Our Springs  
905 W. Oltorf  
Suite A  
Austin, TX 78704

Received by Austin Process LLC on the 21st day of July, 2016 at 11:12 am to be served on **James Bass, Texas Department of Transportation, 125 East 11th Street, Austin, TX 78701**.

I, Dane R. Cuppett, being duly sworn, depose and say that on the **22nd day of July, 2016 at 1:34 pm**, I:

**INDIVIDUALLY/PERSONALLY** delivered a true and correct copy of the **Summons in a Civil Action and Complaint for Declaratory and Injunctive Relief** with the date of service endorsed thereon by me, to: **Alicia Ramon-Kane, Office of General Counsel, Texas Department of Transportation** at the address of: **Texas Department of Transportation, 125 East 11th Street, Austin, TX 78701**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, of sound mind, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was delivered. The facts stated in this affidavit are within my personal knowledge and are true and correct.



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Dane R. Cuppett  
SCH-7114, Exp. 9/30/16

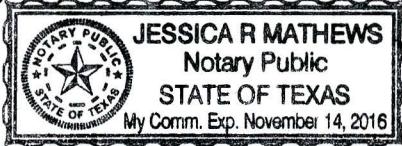
Austin Process LLC  
809 Nueces  
Austin, TX 78701  
(512) 480-8071

Our Job Serial Number: MST-2016005241

Subscribed and Sworn to before me on the 22nd day of July, 2016 by the affiant who is personally known to me.



JESSICA R MATHEWS  
NOTARY PUBLIC



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